

## **EXHIBIT A**

**STATE OF FLORIDA  
DEPARTMENT OF CORRECTIONS**

**POSTSENTENCE INVESTIGATION PROBATION**

CIRCUIT COURT HILLSBOROUGH COUNTY

NAME Wilfredo Batista

OFFICER Ronald M. Harrelson, CPO

COUNT	CRIME	OFFENSE STATUTE NUMBER(S)	DEGREE	MIN. MAN-DATORY	CASE NUMBER	ADJ. W/H
<u>C 1</u>	<u>Robbery</u>	<u>812.13 1 &amp; 2C</u>	<u>2°F</u>	<u>N/A</u>	<u>98-2442</u>	<u>ADJ.</u>
<u>O 2</u>	<u>Criminal Mischief</u>	<u>806.13 1B2</u>	<u>1°M</u>	<u>N/A</u>	<u>98-2442</u>	<u></u>
<u>U</u>	<u></u>	<u></u>	<u></u>	<u></u>	<u></u>	<u></u>
<u>R</u>	<u></u>	<u></u>	<u></u>	<u></u>	<u></u>	<u></u>
<u>T</u>	<u></u>	<u></u>	<u></u>	<u></u>	<u></u>	<u></u>

Detainers/Charges Pending: None

Sentencing Status: First Offender N Habitual Offender N Youthful Offender N

D Active Probation: Juvenile N Adult N Active Parole: N

Judge Daniel L. Perry Prosecutor ASA: Jim Touger

A Defense Attorney PD: L. Campbell Retained  Appointed X

Plea: Guilty X Nolo Contendere  Jury Trial  Judge Trial  Other

T Date of Arrest 2/12/98 Arresting Agency HCSO

1 Days in Custody as of 2/13/98 Present Custody Status Probation

A Date PoSI Requested 7/1/98

True Name Wilfredo Batista Alias/Nickname None

D	Date of Birth <u>7/6/77</u>	Race/Sex <u>W/M</u>	DOC: <u>T12717</u>	DLE# <u>04654190</u>
E	Soc. Sec. # <u>092-64-7506</u>	FBI # <u>454144HBS</u>	Military Veteran: <u>NO</u>	
S	Present Address <u>644 W. 173rd St. #C3, New York, NY 10032</u>			
C	Birthplace <u>New York</u>	Citizenship <u>USA</u>	Legal Residence <u>Manhattan County</u>	
I	Hgt <u>5'11"</u> Wgt <u>250</u>	Eyes <u>Brown</u> Hair <u>Black</u>	Complexion <u></u>	
P	ID Marks <u>Tattoo of Tribo on R upper arm</u>			
T	Next of Kin: Name <u>Celeste Batista</u>	Relationship <u>Mother</u>		
I	Phone No. <u>212-781-2638</u>			
O	Address <u>Same as above</u>			
N				

Co-Defendant's Name:

Disposition:

C	<u>None</u>
O	<u></u>
D	<u></u>
E	<u></u>
F	<u></u>

**PRESENT OFFENSE**

## **LEGAL STATUS**

Offense(s) As Charged: Dkt. #98-2442 Ct. 1 Robbery, Ct. 2 Criminal Mischief

Offense(s) Found Guilty of or Pled to: Same as above.

Disposition: On 7/1/98, the Subject appeared before the Honorable Judge Daniel Perry on Dkt. #98-2442 Ct. 1 Robbery and Ct. 2 Criminal Mischief. Subject pled guilty and was adjudicated guilty and sentenced to 36 months probation on Ct. 1 and 12 months probation on Ct. 2 each count to run concurrent. The following special conditions were imposed: \$256 court costs, \$150 cost of prosecution, \$200 restitution to be paid within the first 20 months of probation, \$150 to crimes compensation fund, \$50 PD application fee, 50 community service hours at a rate of five hours per month to begin within 30 days, and Subject may transfer to New York.

Circumstances: On 2/12/98, at approximately 11:30 AM, the Subject did enter the Sports Authority store located at 10137 E. Adamo Dr., Tampa, FL 33619 and was observed placing a pair of Nike tennis shoes, valued at \$150, under his shirt and the Subject left the store without paying for the shoes. Loss prevention manager, Andre Rentz, approached the Subject and told him to come back inside the store. The Subject resisted and pushed Mr. Rentz into a wall causing a cut to his left hand. Subject was apprehended and taken into the store office where the Subject kicked the door and knocked a hole into the sheetrock wall. Subject was charged with robbery and criminal mischief and taken to central booking. The information for this report was provided by HCSO Deputy S.M. Dermont, report #98-012879.

Defendant's Statement: Subject said he went into Sports Authority and tried to take a pair of shoes without paying for them.

Extent Of Victim's Loss or Injury (Include restitution): \$200 restitution to Sports Authority store, 10137 E. Adamo Dr., Tampa, FL 33619, phone #620-3367.

PRIOR RECORD

**(JUVENILE/ADULT HISTORY)**

#### SUMMARY ECIC/NCIC and local records

Juvenile Probation and Aftercare: Active      Completed      Revoked      None    X

Juvenile Delinquency: Adjudications Withheld \_\_\_\_\_ Adjudications \_\_\_\_\_  
Commitments \_\_\_\_\_ None \_\_\_\_\_ X

Adult Probations: Active \_\_\_\_\_ Completed \_\_\_\_\_ Revoked \_\_\_\_\_ None  X

Jail Sentences: None

Prison Sentences: None

Paroles: Active  Completed  Revoked  None

Escapes:        None

Part 8

### Place

### Offense

Disposition/Date

NO PRIOR  
RECORD

**SOCIOECONOMIC STATUS****FAMILY HISTORY (Verified  Not Verified ) By Celeste Batista, 7/22/98**

Name	Age	Relationship	Address	Occupation
Adrino Batista	27	Brother	Florida	Unknown
Henry Batista	23	Brother	Florida	Unknown

Remarks: (Significant Narrative)

Subject stated that his parents divorced when he was six years of age and that he was raised by his mother in New York. Subject denies any physical, mental, or sexual abuse during his childhood.

## Offender's Personal History

Remarks (Summary of personal and family stability and relationships):

**MARITAL HISTORY (Verified  Not Verified ) By Celeste Batista**

Status: Single  Married  Divorced  Separated  Widowed   
Other  Number of Marriages

Spouse: N/A

(Name) (Age) (Address)

Current Marital Relationship: Good  Fair  Poor Future Plans: Reunion  None  Other 

Present Marriage (date &amp; place of marriage &amp; place of divorce/# children)

N/A

Children (names, ages, locations and support):

N/A**INTERESTS AND ACTIVITIES (Verified  Not Verified ) By Celeste Batista**Special Interests Hobbies: football, basketballAlcohol Usage: Mild  Moderate  Heavy  No History Drug Usage: Mild  Moderate  Heavy  No History 

Remarks: (Significant Narrative)

Subject stated that he drinks alcohol at parties and considers himself to be an occasional drinker. Subject stated that he used to smoke marijuana about two years ago but that he has since stopped and denies any use of illegal drugs.

**EDUCATION (Verified  Not Verified ) By Celeste Batista**Highest Grade 12th Last School Attended Unity Highschool, New York

Special Training/Vocation Skills \_\_\_\_\_

Remarks: (Significant Narrative)

Subject stated that he needs two credits to complete his highschool education.

**EMPLOYMENT HISTORY (Verified  Not Verified ) By Celeste Batista**Occupation/Trade Laborer

Employer

Dates	Name/Address	Duties	Reason for Leaving
1997-1998	Websters Grocery	New York, NY Stock	N/A

Employment Remarks: (Significant Narrative)

Subject states this is the only job he has ever had and that he makes minimum wage.

**MILITARY HISTORY (Verified  Not Verified ) By Celeste Batista**None  Presently Active/Reserve Status  Discharged Veteran 

Service Number \_\_\_\_\_ VA Claim Number \_\_\_\_\_

Disabilities \_\_\_\_\_  
Remarks: (Significant Narrative) \_\_\_\_\_**HEALTH (Verified  Not Verified ) By Celeste Batista**Health Status: Good  Satisfactory  Fair  Poor  Disabled Remarks: (Significant Narrative)  
Subject stated that he is in good condition and that he is not taking any medication at this time and that he has never been under the care of a mental health professional.**RESIDENCE HISTORY (Verified  Not Verified ) By Celsete Batista**Residence: Home  Trailer  Apartment  Room  Other \_\_\_\_\_Owns  Rents  No Cost  Amount per Month pays no rent \_\_\_\_\_Lives with mother \_\_\_\_\_Remarks: (Significant Narrative)  
Subject states he has lived at this present residence for the past six years.**STATEMENTS & COMMENTS OF OTHERS (Judge, Prosecutor, Defense Atty, Law**

Enforcement, victim, etc.)

None received at this time.

**SPECIAL COMMENTS:**

Subject is a 21 year old white male placed on supervision for robbery and criminal mischief. Subject displayed a non verbal lack of concern about the offenses in which he had committed and had to be constantly reminded to take his fingers out of his mouth so that he could be understood when he talked. This officer feels that the Subject is very street wise and very involved in the activities of the streets of New York City. Therefore, the prognosis for successful completion of this probationary period remains poor at this time.

Date Dictated 7/22/98 Typed 7/24/98By: Ronald M. Harrelson  
Ronald M. Harrelson, CPO DateApproved By: Renata Green CPS Date 7/27/98

RMH/kla T: 7/24/98

## **EXHIBIT B**

Officer / Location: HANEISON 137T

DC# \_\_\_\_\_

**ORDER OF PROBATION**

STATE OF FLORIDA

Wilfredo Batista  
 -vs- Plaintiff  
 Defendant

In The CIRCUIT Court OfHILLSBOROUGH County, FloridaCase No. 98-2442Div: A**I. THE DEFENDANT, having:**

- entered a plea of guilty to:  
 entered a plea of nolo contendere to:  
 been found guilty by jury verdict of:  
 been found guilty by the court trying the case without a jury of:

(CT1-Robbery  
CT2-Criminal Mischief  
 (\_\_\_\_\_  
 (\_\_\_\_\_  
 (\_\_\_\_\_

**II. THE COURT HEREBY:**

- adjudges you guilty of \_\_\_\_\_  
 withholds adjudication of guilt for \_\_\_\_\_

**III. IT IS ORDERED AND ADJUDGED that, subject to the laws of this State:**

- you are hereby placed on Probation for a period of 36 months to be supervised by the Department of Corrections. 62-12 months.
- It is hereby adjudged that you be confined to the County Jail/committed to the Department of Corrections for a term of \_\_\_\_\_, with credit for jail time; that after you have served \_\_\_\_\_ of said term, you shall be placed on probation for a period of \_\_\_\_\_ under supervision of the Department of Corrections and its officers, such supervision to be in accordance with the laws of this State. After you are released on probation you shall comply with the following terms and conditions of probation.

It is further ordered that you shall comply with the following conditions of probation:

- (1) Not later than the fifth day of each month, you will make a full and truthful report to your officer on the form provided for that purpose.
- (2) You will pay to the State of Florida the amount of forty dollars (\$ 40.00) per month toward the cost of your supervision, unless otherwise waived in compliance with Florida Statutes.
- (3) You will not change your residence or employment or leave the county of your residence without first procuring the consent of your officer.
- (4) You will not possess, carry or own any firearms. You will not possess, carry, or own any weapons without first procuring the consent of your officer.
- (5) You will live and remain at liberty without violating the law. A conviction in a court of law shall not be necessary in order for such a violation to constitute a violation of your probation.
- (6) You will not associate with any person engaged in any criminal activity.

PAGE TWO

## ORDER OF PROBATION

REF: W. BatistaCASE NO(S): 98-2442

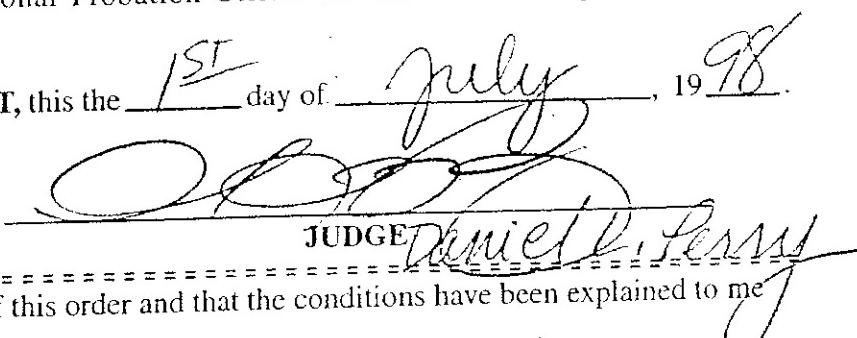
- (7) You will not use intoxicants to excess or possess any drugs or narcotics unless prescribed by a physician. Nor will you visit places where intoxicants, drugs or other dangerous substances are unlawfully sold, dispensed, or used.
- (8) You will work diligently at a lawful occupation, advise your employer of your probation status, and support any dependents to the best of your ability as directed by your officer.
- (9) You will promptly and truthfully answer all inquiries directed to you by the Court or your officer, and allow the officer to visit in your home, at your employment site or elsewhere, and you will comply with all instructions your officer may give you.
- (10) You will pay restitution, costs and/or fees in accordance with the attached orders.
- (11) You will report in person within 72 hours of your release from confinement to the Probation Office in Hillsborough County, Florida, unless otherwise instructed by your officer.

SEE SPECIAL CONDITIONS NEXT PAGE. APPLICABLE NOT APPLICABLE

You are hereby placed on notice that the Court may at any time rescind or modify any of the conditions of your probation, or may extend the period of probation as authorized by law, or may discharge you from further supervision or return you to a program of regular probation supervision; and if you violate any of the conditions and sanctions of your probation, you may be arrested and the Court may revoke your probation and impose any sentence which it might have imposed before placing you on probation.

It is further ordered that when you have reported to the Correctional Probation Officer and have been instructed as to the conditions of probation, you shall be released from custody if you are in custody and if you are at liberty on bond, the sureties thereon shall stand discharged from liability.

It is further ordered that the Clerk of this Court file this order in the Clerk's Office and forthwith provide certified copies of same to the Correctional Probation Officer for his use in compliance with the requirements of law.

DONE AND ORDERED IN OPEN COURT, this the 1<sup>ST</sup> day of July, 1998.


JUDGE Daniel P. Levy

I acknowledge receipt of a certified copy of this order and that the conditions have been explained to me and I agree to abide by them.

Date: \_\_\_\_\_

(Probationer)

STATE OF FLORIDA )  
COUNTY OF HILLSBOROUGH)  
THIS IS TO CERTIFY THAT THE FOREGOING IS A  
TRUE AND CORRECT COPY OF THE DOCUMENT ON  
FILE IN MY OFFICE. WITNESS MY HAND AND  
OFFICIAL SEAL THIS 22 DAY OF July 1998

Instructed by: \_\_\_\_\_



RICHARD AKE, CLERK  
*Richard Ake, Clerk*

SPECIAL CONDITIONS OF PROBATION/COMMUNITY CONTROL - DIV. 1 PAGE THREEREF: W. Batista CASE NO(S): 98-2442

- (A) You will submit to urinalysis, breathalyzer or blood tests at any time requested by your officer, or the professional staff of any treatment center where you are receiving treatment, to determine possible use of alcohol, drugs, or controlled substances. You shall be required to pay for the tests unless payment is waived by your officer.
- (B) You must undergo a mental health evaluation and, if treatment is deemed necessary, you must successfully complete the treatment.
- (C) You must undergo a drug/alcohol evaluation within \_\_\_\_\_ days and, if treatment is deemed necessary, you must successfully complete the treatment.
- (D) You will participate in self-improvement programs as determined by the court or your officer.
- (E) Enter and successfully complete \_\_\_\_\_ Inpatient Treatment Program from the county jail or street.
- (F) Must reside at the Tampa Probation and Restitution Center, located at \_\_\_\_\_, Tampa, Florida, for a period of 364 days, unless otherwise successfully discharged by the proper authority. While residing at the Center, you will submit to periodic urinalysis at your own expense for drug screening purposes. Must successfully complete the Tampa PRC Employment Skills Program.
- (G) You must reside at and/or participate in the Bradenton Drug Treatment Program located at 2104 63rd Avenue East, Bradenton, Florida for a period of up to 18 months, unless otherwise discharged by the proper authorities.
- (H) Community Control II: You will submit to electronic monitoring of your whereabouts as required by the Florida Department of Corrections and will reimburse the State of Florida Electronic Monitoring Trust Fund as Provided by 948.09(2), F.S., at a rate of \$30 per month.

(I) \$ 200 in Restitution at EQUAL per month. *w/in 20 months.*

(J) \$ 411 Court Costs.

(K) \$ 150 Cost of Prosecution.

(L) \$ .90 PD fee and App Contribution to the Hillsborough County Drug Fund.

(M) Complete the following Community Service Hours: *begin w/in 30 days.*

(1) \_\_\_\_\_ With the Community Restitution Program at \_\_\_\_\_ hours per month, at a site to be designated by the supervising officer.

(2) \_\_\_\_\_ With the Hillsborough Co. Sheriff's Work Program at \_\_\_\_\_ hours per month.

(3) 50 With any approved Community Service Site at 52 hours per month.

## **EXHIBIT C**

FLORIDA  
DEPART. OF CORRECTIONS/PAROLE & MISSION

**APPLICATION FOR COMPACT SERVICES  
AND AGREEMENT TO RETURN**

Sending State: Florida

Receiving State New YorkI, Wilfredo BatistaDC No 712717

hereby apply for supervision pursuant to the Interstate Compact for the Supervision of Parolees and Probationers. I understand that it is likely that there will be certain differences between the supervision I would receive in Florida and the supervision which I will receive in receiving state. However, I urge the authorities to whom this application is made, and all other judicial and administrative authorities, to recognize that supervision in another state, if granted as requested in this application, will be a benefit to me and will improve my opportunities to make a good adjustment. In order to get the advantages of supervision under the Interstate Compact, I accept such differences of supervision as may be provided, and I do state that I consider the benefits of supervision under the Compact to be worth any adjustments in my situation which may be necessary.

I also consent to the release of any drug/alcohol treatment information by the State of Florida to any authorized agent of the receiving state for the purpose of transferring supervision. This consent remains in effect from date of request and becomes revocable upon return to Florida or termination of supervision.

In view of the above, I do hereby apply for permission to be supervised in receiving state for the following reasons:

1. That I will make my home with

(name and address)

644 W 173rd Street #C3 NY NY 10032, until a change of residence is duly authorized by the proper authorities of the receiving state.

2. That I will comply with the conditions of supervision as fixed by both the State of Florida and the receiving state.
3. That I will, when duly instructed by the Florida authorities, return at any time to the said state.
4. That I will obtain permission and reporting instructions from the Florida authorities before travelling to any third state for transfer purposes.
5. That I hereby do waive extradition to the State of Florida from any jurisdiction in or outside the United States where I may be found and also agree that I will not contest any effort by any jurisdiction to return me to the State of Florida.
6. Failure to comply with the above will be deemed to be a violation of the terms and conditions of supervision for which I may be returned to the State of Florida.

I (have read the above) (have had the above read and explained to me), and I understand its meaning and agree thereto.

Date 7-1-98Signed \* Wilfredo Batista

The foregoing instrument was acknowledged before me this

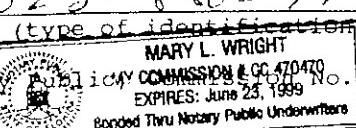
7/1/98

(date)

by W. H. Batista

(offender's name)

who has produced as identification



(Name of Notary typed, printed or stamped)

On this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_, permission was granted to the above offender to be supervised in the receiving state.

Interstate Compact Administrator or Designee

## **EXHIBIT D**

THE CITY OF NEW YORK  
DEPARTMENT OF PROBATION  
MANHATTAN ADULT SUPERVISION



100 CENTRE STREET, ROOM 1414  
NEW YORK, NEW YORK 10013

Date: 10-14-98

Florida Adult Interstate  
Department of Corrections  
2601 Blairstone Road  
Tallahassee, Fla. 323999

We have received your request for interagency service in the case of:

Name: Batista, Wilfredo DOB: 7-6-77  
Your case number: T12717 Our case number: NC980 1585

The case has been accepted and assigned to:

P.O. Cleare At: 212-442-6123

S.P.O. \_\_\_\_\_ At: \_\_\_\_\_

We regret we cannot accept this case because :  
\_\_\_\_\_  
\_\_\_\_\_

YOURS TRULY,

Lorene Gilmore, Branch Chief

Approved By: J. Patterson  
S.P.O. J. Patterson - (212)442-4882

Per: Venetia E. Moore  
Probation Officer / Telephone Number

cc:P.O. \_\_\_\_\_ (NC \_\_\_\_)

98-0984R

000134

## **EXHIBIT E**

FLORIDA INTERSTATE COMPACT  
Investigation Request

(Compact Office of Jurisdiction)

Date Requested: 7/23/98

Department of Corrections  
Bureau of Interstate Compact  
2601 Blair Stone Road  
Tallahassee, FL 32399-2500

Receiving State: New York

County: Manhattan

Parole       Misdemeanor  
 Probation       Felony  
 Other       Sex Offender/High Profile

Transfer Request  
 Records Check  
 Other: \_\_\_\_\_

RE: Wilfredo Batista AKA: N/A

DC No: T12717 R/S: W/M DOB: 7/6/77 SSN: 092-64-7506

(X) Check if offender is in receiving state.

Resides With: Celeste Batista  
Relationship: Mother  
Address: 644 W. 173rd St. #C3  
New York, NY 10032  
Telephone: 212-781-2638

Employer: Webster Groceries  
Supervisor: Chno & Lui esa  
Address: 1393 Webster  
Bronx, NY  
Telephone: 718-293-7014

Offense(s): Dkt. #98-2442 Ct. 1 Robbery, Ct. 2 Criminal Mischief

Date Convicted: 7/1/98  
Date Sentenced: 7/1/98  
Disposition: Pled Guilty  
Adjudication Guilty (X)  
Adjudication W/H ( )

County of Sentence: Hillsborough  
Institutional Release Date: N/A  
Parole/Probation Period: Ct. 1 36 months, Ct. 2 12 months  
Termination Date: Ct. 1 6/30/01, Ct. 2 6/30/99  
Maximum Sentence Expires: 6/30/01

We desire to transfer this person on parole/probation to your state:  
 As a resident       Employment       Family resides in your state       With your consent

Case Summary and criminal record attached.

<input type="checkbox"/> Parole/Probation Order	<input type="checkbox"/> Compact Forms
<input checked="" type="checkbox"/> Pre/Post Sentence Investigation	<input type="checkbox"/> Travel Permit
<input type="checkbox"/> Classification Material/ Background Investigation	<input type="checkbox"/> Other Court/Supervision Documents

Reply should discuss among other things, suitability of prospective residence, employment, family, environment, attitude of receiving state and other pertinent facts.

Comments/Special Conditions: \$256 COURT COSTS; \$150 COST OF PROSECUTION; \$200 RESTITUTION TO BE PAID WITHIN 20 MONTHS; \$150 CRIMES COMPENSATION FUND; \$50 PD APPLICATION FEE; 50 CSW HOURS AT FIVE HOURS PER MONTH; MAY TRANSFER TO NEW YORK; WAIVE FLORIDA COST OF SUPERVISION.

Interstate Compact Administrator

Prepared by: Ronald H. Haughey Office: Tampa East - 13AApproved by: Megate Green Date: 7/27/98Reviewed by: J. W. J. Date: 8/5/98

(Florida Compact Authority)

DC3-110 (Rev. 3/96)

Distribution: IC original &amp; 2 copies

DC3-110  
Rev 6/86

## **EXHIBIT F**



FLORIDA  
DEPARTMENT of  
CORRECTIONS

Governor  
**JEB BUSH**

An Affirmative Action/Equal Opportunity Employer

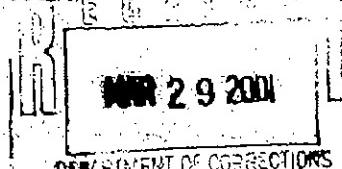
Secretary  
**MICHAEL W. MOORE**

2601 Blair Stone Road - Tallahassee, FL 32399-2500

<http://www.dc.state.fl.us>

TO: New York Probation Date: March 19, 2001  
Re: BATISTA, Wilfredo Florida No: T12717  
State & County: New York/Manhattan Other State No: NC9801585

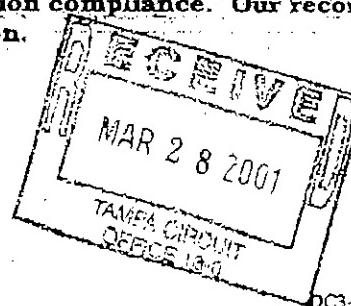
1. Please use above identifying information in future correspondence.  
 2. Transfer material has not been received. Please expedite.  
 3. Transfer packet is incomplete. Please provide \_\_\_\_\_ and resubmit.  
 4. Investigate for supervision transfer. Case material attached.  
 5. Request for:  Records Check  Progress Report  Early termination  Transfer Status  
 6. Notice of Arrival/Return  attached  submit.  
 7. Please have offender sign the attached and return copies to this office.  
 8. The attached is for your information.  Assist as requested by the attached.  
 9. Refer to correspondence of \_\_\_\_\_.  Respond by \_\_\_\_\_.  
 10. Supervision accepted effective \_\_\_\_\_.  Forward case file to this office after audit is completed.  
 11. Supervision rejected effective \_\_\_\_\_.  Instruct offender to return.  
 12. Violation report attached.  Please advise of your Board/Court's decision.  
 Warrant requested. Enter warrant in NCIC.  
 13. Interest closed by \_\_\_\_\_ as offender has relocated to a third state. Please initiate new transfer immediately or advise of other action taken.  
 14. Florida will close interest in \_\_\_\_\_ days unless otherwise notified.  
 15. Violation report, warrant request and supervision order is attached for processing. Please forward appropriate copies of your Court's decision to this office.  
 16. Pre-Termination Review indicates offender is in violation of condition(s) \_\_\_\_\_. This office is closing interest and forwarding all materials to your office for immediate action with the court.  
 17. For your information, you may close interest effective \_\_\_\_\_.  
 18. Unable to identify. Please clarify.  
 19. We have closed interest effective \_\_\_\_\_.



REMARKS: Please provide a current progress report. Note that the offender's probation is scheduled to terminate on June 30, 2001. Please advise the status of special condition compliance. Our records reflect that the offender has paid no amount toward monetary obligation.

Robert M. Porter  
Chief, Interstate Compacts

BY: John R. Day



## **EXHIBIT G**

20813216

STATE OF FLORIDA  
DEPARTMENT OF CORRECTIONSDocket # 98-02442  
DC# T12717  
Judge/Division: Perry "A"

## WARRANT

In the Name of the State of Florida, to All and Singular the Sheriffs of the State of Florida:

WHEREAS, KRISTIN SELTZER has made oath that on the 1st day of July, A.D. 1998 one WILFREDO BATISTA, hereinafter referred to as the aforesaid, was placed on Probation for the offense of Ct. 1 - Robbery, Ct. 2 - Criminal Mischief in the Circuit Court of Hillsborough County, for a term of Ct. 1 - thirty-six (36) months, Ct. 2 - twelve (12) months, each count concurrent in accordance with the provisions of Chapter 948, Florida Statutes, and that the aforesaid has not properly conducted himself, but has violated the conditions of his Probation in a material respect by

Violation of Condition (2) to-wit: In that, the aforesaid was court ordered to pay cost of supervision in the amount of \$40.00 per month until the aforesaid's supervision was accepted by the State of New York. The aforesaid owed a total of \$40.00 towards this court ordered monetary obligation and still has a remaining balance of \$40.00 as of 5/23/01.

Violation of Condition (3) to-wit: In that, the aforesaid's supervision was accepted for transfer by the State of New York on 10/14/98. This officer attempted to locate the aforesaid on 6/17/99 by directly contacting the State of New York and via Interstate Compact on 9/29/99 and again on 3/19/01 with a request for a progress report. This officer was not able to locate the aforesaid after any of these attempts and was told by the State of New York that they were unaware of the aforesaid's whereabouts. The aforesaid's whereabouts are unknown and he is to be considered an absconder by the Department of Corrections.

(continued on page 2)

THESE ARE, THEREFORE, to command you to arrest instanter the aforesaid WILFREDO BATISTA, and bring him before me to be dealt with according to law.

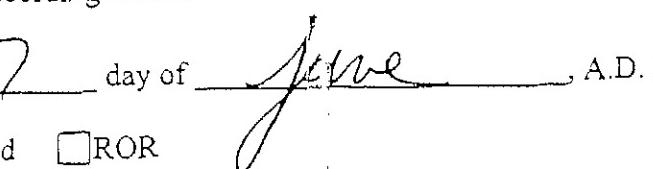
Given under my hand and seal this

7 day of June

A.D. 2001

DC Recommends:  Bond  No Bond  ROR

COURT ORDERS:	
<input type="checkbox"/> ROR	<input checked="" type="checkbox"/> No Bond
<input type="checkbox"/> Set Bond	<input type="checkbox"/> ROR
Judge's Initials	



DANIEL L. PERRY  
Judge Circuit Court  
In and for Hillsborough County

FILED

000192

ljp - 5/24/01

RICHARD AKE CLERK

DC3-219 (Revised 9-00)

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JUN 08 2001

Warrant  
Page 2  
Wilfredo Batista  
Dkt. No. 98-02442  
DC No. T12717

(continued from page 1)

Violation of Condition (10) to-wit: In that, the aforesaid was court ordered to pay a total of \$656.00 in court costs. As of 5/23/01, the aforesaid has not made any attempt to pay this monetary obligation and is in arrears the total balance of \$656.00.

Violation of Special Condition (I) to-wit: In that, the aforesaid was court ordered to pay restitution in the amount of \$200.00. As of 5/23/01, the aforesaid has made no attempt to pay any money towards this court ordered monetary obligation and owes the remaining total balance of \$200.00.

Violation of Special Condition (M) to-wit: In that, the aforesaid was court ordered to complete 50 community service hours at a rate of 5 hours per month at any approved community service site. The aforesaid has failed to complete any of the court ordered community service hours or submit any paperwork verifying otherwise and currently owes the remaining balance of 50 community service hours as of 5/23/01.

## **EXHIBIT H**

CASE # 98-02442

IN THE CIRCUIT COURT OF HILLSBOROUGH COUNTY

STATE OF FLORIDA

Violation of Probation  
WARRANT

ORDER TO TAKE INTO CUSTODY

STATE OF FLORIDA  
VS.WILFREDO BATISTA

THIS WARRANT WAS RECEIVED BY THIS  
 DEPARTMENT AT \_\_\_\_\_  
 COUNTY, FLORIDA ON THE \_\_\_\_ DAY OF \_\_\_\_  
 , A.D. 20\_\_\_\_, AND EXECUTED IN \_\_\_\_\_  
 COUNTY, FLORIDA ON  
 THE \_\_\_\_ DAY OF  
 , A.D. 20\_\_\_\_, BY  
 ARRESTING THE WITHIN NAMED

\_\_\_\_\_ ARRESTING OFFICER

\_\_\_\_\_ DEPARTMENT

\_\_\_\_\_ DATE AND TIME OF SERVICE

\_\_\_\_\_ PLACE OF SERVICE

\_\_\_\_\_ IDENTIFYING DATA

AKA: Note known  
 RACE White SEX Male DOB 7/6/77  
 SMT Tattoo of "Tribal" on upper right arm  
 HGT 5'11" WGT 250  
 EYES Brown HAIR Black  
 SS# 092-64-7506  
 DL# Unknown

CURRENT LOCATION/LAST KNOWN  
 ADDRESS The subject is an absconder and the last known address is 644 W. 173rd Street, Apt. C3, New York, NY 10032

REMARKS/EXTRADITION INFORMATION  
Please extradite as subject is on supervision for robbery.

## **EXHIBIT I**

FAX

HILLSBOROUGH COUNTY  
SHERIFF'S OFFICE

CAL HENDERSON, SHERIFF

P.O. Box 3371 Tampa FL 33601

Phone (813) 247-8000



To: NEW YORK COUNTY DISTRICT ATTORNEY'S OFFICE 1-212-335-4390  
Agency Fax Number

Attn: MIRIAM FONSECA Extension

Name

From: CATHY LANOUE 813-247-0740  
clanoue@hcsco.tampa.fl.us Division

Name Phone

813-247-0885

Fax

**Message:** ATTACHED PLEASE FIND A COPY OF THE WARRANT FOR WILFREDO  
BATISTA W/M DOB: 070677. WE WILL EXTRADITE.

Date: 6/22/04

Number of Pages: 4  
(include cover sheet)

## **EXHIBIT J**

## CRIMINAL COURT OF THE CITY OF NEW YORK

AFFIDAVIT  
FUGITIVEPart M, County \_\_\_\_\_STATE OF NEW YORK )  
COUNTY OF NY ) ss:Detective Michael Cosme, a Police Officer of the City of New York

being duly sworn, deposes and says that upon information and belief

the defendant, Wilfredo Batistastands charged in the State of Florida, City of Tampa, County of Hillsborough,with the crime of Violation of Probation

and that the said crime is punishable by death or imprisonment for a term exceeding one year.

That the sources of deponent's information and the grounds for his belief are communications from the police of said state, city, and county, to wit:

*Deponent states that he is in receipt  
of warrant Docket A 98-02442 DCHT12717 dated June 8, 2001  
Signed By Judge Daniel L Perry charging the defendant  
with the crime of Probation Violation.*

Deponent therefore asks that the defendant be held reasonable length of time to enable deponent to produce further evidence and that upon the completion of an examination pursuant to the provisions of the Criminal Procedure Law or upon defendant's waiver thereof, he be committed to enable his arrest to be made under a warrant of the Governor of this State on the requisition of the executive authority of the state having jurisdiction of the offense.

Det. Michael Cosme

Affiant

Sworn to before me

, 19\_\_\_\_\_

Judge.

000187

## **EXHIBIT K**

EAST TAMPA

PAGE 01

Officer Kristin Salter, CPO  
Office Location 13-A Tampa East  
Judge/Division Perry / "A"

STATE OF FLORIDA

VS

WILFREDO BATISTA

Defendant

IN THE CIRCUIT COURT

HILLSBOROUGH COUNTY, FLORIDA

DC No. 112717

Docket/UC No. 98-02442

### ORDER DISMISSING WARRANT

In the Name of the State of Florida, to All and Singular the Sheriffs and Peace Officers of the State of Florida:

WHEREAS, a warrant was issued by this court on 7<sup>th</sup> day of June, 2001 for the arrest of defendant, Wilfredo Batista, upon a charge of violation of Probation; and

WHEREAS, it has been demonstrated that the Probation should not be revoked. it is

ORDERED that the warrant is dismissed and set aside. The defendant shall be released from custody if confined, relieved of all sureties and restored to supervision under the original order of the court, or discharged from supervision if jurisdiction has been lost.

It is further ORDERED that the clerk of this court file this order in the official records and provide certified copies to the officer for use in compliance with the requirements of law.

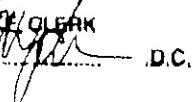
DONE AND ORDERED ON THE 25 DAY OF June, 2004

  
Daniel L. Perry  
Circuit Court Judge

STATE OF FLORIDA  
COUNTY OF HILLSBOROUGH

THIS IS TO CERTIFY THAT THE FOREGOING IS A  
TRUE AND CORRECT COPY OF THE DOCUMENT ON  
FILE IN MY OFFICE WITNESS MY HAND AND  
OFFICIAL SEAL THIS ..... DAY OF .....



RICHARD A. CLERK  
BY  D.C.

DC3-271 (Revised 5-02)

Original: Clerk of Court  
Copy: Sheriff's Office  
Copy: DC Offender File

## **EXHIBIT L**



*Cal Henderson, Sheriff*  
*David Gee, Chief Deputy*

P O Box 3371  
Phone (813) 247-8000  
www.heso.tampa.fl.us

Hillsborough County  
Tampa, Florida 33601

JUNE 25, 2004

District Attorney  
County of New York  
One Hogan Place  
New York, NY 10013

Re: BATISTA, WILFREDO

Charge: VOP CT 1 ROBBERY  
Case #98-2442

Dear Sir:

We request that our hold be removed on the above captioned subject. We are no longer going to extradite him from your jurisdiction. Our Judge Ficarrotta has recalled this warrant and is no longer valid.

Please direct any questions you may have regarding these matters to our Fugitive/Extradition Section at (813) 247-0740

As always, be assured of our cooperation in all matters of mutual concern.

Sincerely,

*Gary S. Terry, Major*  
Gary S. Terry, Major  
Special Operations Division

GGT/jn/jth  
Enclosure

## **EXHIBIT M**

CRIMINAL COURT OF THE CITY OF NEW YORK  
COUNTY OF NEW YORK

THE PEOPLE OF THE STATE OF NEW YORK  
VS

BATISTA, WILFREDO

Defendant

65 WARBURTON AVENUE

Address

YONKERS NY 10701  
City State Zip

Docket Number: 2004NY046591

CPL 57006

Arraignment Charges

CERTIFICATE OF DISPOSITION  
NUMBER: 47920

07/06/1977

Date of Birth

7514159N

NYSID Number

06/17/2004

Date of Arrest/Issue

Summons No:

Case Disposition Information:

<u>Date</u>	<u>Court Action</u>	<u>Judge</u>	<u>Part</u>
06/25/2004	DISMISSED - MOTION OF DA	FERRARA, A	B

**NO FEE CERTIFICATION**

\_ GOVERNMENT AGENCY      \_ COUNSEL ASSIGNED  
\_ NO RECORD OF ATTORNEY READILY AVAILABLE. DEFENDANT STATES COUNSEL WAS ASSIGNED  
SOURCE    \_ ACCUSATORY INSTRUMENT    \_ DOCKET BOOK/CRIMS    \_ CRC3030 [CRS963]

I HEREBY CERTIFY THAT THIS IS A TRUE EXCERPT OF THE RECORD ON FILE IN THIS COURT.

KURYLAS, J  
COURT OFFICIAL SIGNATURE AND SEAL

02/08/2006  
DATE      FEE: NONE

(CAUTION: THIS DOCUMENT IS NOT OFFICIAL UNLESS EMBOSSED WITH THE COURT SEAL OVER THE SIGNATURE OF THE COURT OFFICIAL.)